

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: AUGUST 6, 2008****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SUP-28127 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VIP BAIL BONDS - OWNER: CLARENCE AND KRESSIE NOBLE – Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED BAIL BOND SERVICE at 1363 West Owens Avenue (APN 139-28-502-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****4****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by Nakia Woodson
7. Support Postcard
8. Backup Referenced from the 06-26-08 Planning Commission Meeting Item 33

Motion made by RICKI Y. BARLOW to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

NAKIA WOODSON, owner of VIP Bail Bonds, referred to the staff report, and stated that the proposed use is compatible with existing land uses. She stressed that this is not a new business. There have been no complaints regarding this business. At the Planning Commission, a concern was raised that the business is located near a childcare center. However, she received a support letter from the childcare center. In addition, the childcare center will be closing on August 15,

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2008. She acknowledged that the majority of bail bonds are located downtown; however, there is no requirement that states she had to be located downtown. In downtown, some of the bail bonds are located near residential.

She referred to the report where it states that the Master Plan was implemented on September 6, 2000. Her previous special use permit was approved March 15, 2006, and the plan was not an issue at that time. She is not certain why the plan is an issue now. She further indicated that the owner of the property complied with all parking requirements; otherwise, the City would not have allowed him the necessary permits or licenses. The issue about parking was never raised before.

MS. WOODSON further added that limiting the hours of operation will jeopardize her business. In addition, all of her competitors are open 24 hours. If she must comply with that request, she will do so under duress. The land use table provided does not have any special use requirements or any conditional use regulations. The only thing that it requires is that there is one parking space for every 300 square feet, and she has met the requirement of parking. The residents do not oppose this use and she mentioned again the support letter from the childcare facility. The only opposition she received was from another bail bond company.

KATHERINE DUNCAN, President of the Ward 5 Chamber of Commerce, stated that their goal is to attract businesses that will assist the community. MS. WOODSON will provide the type of service needed in this area. She remarked that the findings indicate there will be criminals coming into MS. WOODSON'S place of business. However, she will be serving the family of that person seeking her services. MS. DUNCAN stated she has known the applicant since she became a member of the Ward 5 Chamber of Commerce. She is an active participant in the community, is a large contributor to Victory Baptist Church and is a member of the Las Vegas Chamber of Commerce for the Young Persons Division. She asked that the City Council grant her request.

TEDDY RUSSELL, Las Vegas resident, appeared in support and asked that she be allowed to have this business.

BEATRICE TURNER, West Las Vegas, stated she does not see what the problem is and asked that it be approved.

COUNCILMAN BARLOW remarked that it was brought to his attention that MS. WOODSON was cited for conducting business as a bail bondman without a license. She rebutted she was not aware she did not have a license until August 1st. She indicated in April she was told to change her address. She complied with that, and when she was told she needed to apply for a special use permit, she did so. In June she received a bill from the City of Las Vegas in the amount of \$242, which she paid. All the communication she received did not state she did not have a license. COUNCILMAN BARLOW reiterated that without a special use permit, she cannot operate the business.

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COUNCILMAN BARLOW understood that the application was approved in 2006 at one location across the street, but this application does not comply with the neighborhood revitalization he is looking to create within this mature area of Ward 5. This mature neighborhood must be sustained and improved through varied selective development conducive to the area. Although this use was approved years ago, it is no longer appropriate in this particular area.

MS. DUNCAN indicated the Chamber of Commerce works closely with the Office of Business Development (OBD), and she feels when there is an issue with a business that is trying to do business in the community, they visit OBD to see what can be done to help and encourage that business. OBD has not presented them with the West Las Vegas Plan.

COUNCILMAN BARLOW replied he could provide her with the plan. He agreed that over the years no changes have taken place in this area, but he is trying to bring change to the community and ensure that businesses are compatible with the surrounding area and the community's vision. There are certain uses that he looks for, but this is not one of them.

MS. WOODSON reiterated this office has been in this area, and this is a professional office. She has also been a part of the charette and has never heard that a bail bond business should not be located in the community.

MAYOR GOODMAN declared the Public Hearing closed.